

Frequency Coordination, Band Plans and Challenges to the Rights of Amateurs

Part 2: Does your Frequency Coordinator obey the FCC Rules?

The FCC tells us that a "Frequency Coordinator" is:

An entity, recognized in a local or regional area by amateur operators whose stations are eligible to be auxiliary or repeater stations, that recommends transmit/receive channels and associated operating and technical parameters for such stations in order to avoid or minimize potential interference. (47 CFR § 97.3[a][21]).

The FCC Rules also lay out all the details about where the ham bands begin and end in the spectrum, and what kind of transmissions are allowed on each band. They also provide for "simplex," "repeater" and "auxiliary" stations, on these bands. (47 CFR § 97.305.)

By adopting and publishing these Rules, and by testing applicants for licenses, the FCC has gone to great lengths to put every amateur on notice of what is expected... and of what amateurs have a right to expect from one another.

Many transmission modes are not compatible with one another. Also, some of them take up more (or less) bandwidth than the others.

Yet each of them is a "given" in the equation.

A "coordinator" must do those things in the FCC definition. Or by that definition, the person is not a "coordinator."

Band Plans

So, a person desiring to be a "coordinator" must make plans to accommodate all the modes on each band that have been designated by the FCC. These are called "band plans." A "coordinator" either adopts a "band plan" formally by writing it down, or he adopts one blindly (and recklessly) by default. Either way, the "band plan" is essential to "... avoid or minimize potential interference", per the FCC's definition of the task (and consequentially, as a practical matter, for the "coordinator" to be recognized by all the other licensed amateurs).

The fact is there is not one single coordinator in the United States (which meets the FCC definition of "coordinator") that has not adopted a "band plan." (There are some special interests out there who say that "band plans" have nothing to do with "coordination." It seems the politics of confusion and double talk are hard at work here.)

The ARRL has, for years, printed band plans in its "FCC Rule Book." In theory, it is not necessary, and the FCC Rules do not require, that the same exact band plan exist in every area of the country.* The plans shown in the ARRL's book show how it is possible, and practical, for local coordinators to accommodate all the modes and rights and privileges granted by the FCC to its licensees. These band plans are generally accepted by amateurs, because they are FCC-compatible. They insure that all the rights and privileges of the licensees are accommodated - and none are excluded. Licensees can experiment with and use radio equipment the way the FCC and U.S. Congress has intended. (When a "coordinator" operates with these published band plans, he tends to eliminate a lot of the decision making process and politics among amateurs that would be involved in adopting some other kind of FCC-compatible band plan.)

*(However, see the FCC's statement about "Good Amateur Practice" below.)

If, on the other hand, the person claiming to be a "coordinator" used some misfit band plan that does not allow for all the modes licensed by the FCC, he would no longer meet the requirements of the FCC Rules, or its definition of a "coordinator". The "operators whose stations are eligible to be auxiliary or repeater stations," have been placed on notice by the FCC about what transmission modes exist on each band; and the "coordinator" has been, too. The person trying to misuse the role of "coordinator" to eliminate or discourage one or more of the FCC's modes on a band would cause interference. The rules require that "coordinators" ... "avoid or minimize potential interference." Amateurs will not, and should not, recognize a non-FCC compatible band plan or "coordinator," who refuses to follow the intent and letter of the FCC Rules.

This being the case, what should happen when a person claiming to be a "coordinator" issues a non-FCC compatible coordination to himself, his own club, his boss, or other specially interested party? Non-FCC compatible "coordinations" result in interference and violate the FCC Rules.

Most "coordinators" do not present this kind of problem. It seems most do not turn routine coordination activities into political games. (Politics of this kind should be left to the political parties and political conventions. Amateur radio should be for fun, and for public service.)

It seems some local coordination councils have been taken over by persons with special interests. There are people who are willing to 'volunteer' to be "coordinators" when their real motivation is a self-benefit. It seems the people who do this are frequently those who are 'always involved in controversy' ... the kind of people who "volunteer" one way for their friends and another way for the public. Yet it is the responsibility of persons who lead local coordination councils to be impartial on essential, important issues like "Band Plans." Unfortunately for the politically motivated "coordinator," the result is often a self-imposed hardship and interference; and a real hardship for the other amateurs.

The good news is - it is not all that difficult to be a "coordinator," and to do the job "right." It is not that difficult for a level playing field to exist for all the interested parties. This involves a degree of common sense and principles like "first come first served," which must be taken seriously. It also involves a respect for all the modes that exist as "given" in the FCC's equation.

The result of the impending "Mode War," however, has been interference for users of various modes.

What should the ARRL do?

(1) The ARRL should endorse only those coordinators who obey the FCC Rules, and who operate with FCC-compatible band plans. (2) The ARRL should not officially associate with those who have a track record that indicates a desire to reduce the rights or privileges of amateurs. (3) ARRL members should not have to worry that someone may go communicate with the FCC, or the Congress, or other government authority on our behalf, where there is an intent to reduce these rights/privileges. (4) If the ARRL, intentionally or by mistake in judgment, proposes Rules or policies to the FCC that would tend to reduce the rights of amateurs, or encourage a "Mode War," it should be our

duty to oppose this, and to see that new leadership is put in place in the organization.

Let us settle the "Mode War."

There is only one responsible way to settle the impending "Mode War." It is by a common sense application of the FCC Rules.

Rodney Stafford, ARRL President, has been asked the following question:

Before the ARRL spends funds, resources and efforts implementing the frequency coordination agreement with NFCC, Inc., members want to know what steps you have taken to insure that all the local coordinators that have been endorsed are operating in compliance with the FCC Rules.

The concern, as you know, is that some local coordination councils endorsed by NFCC, Inc. (and now the ARRL) refuse to allow all the modes of transmission licensed to each of us by the FCC. Instead it seems some of them have adopted some non-FCC compatible band plans, designed to eliminate ATV modes from the 70 cm. and even the 23 cm. bands.

Before a frequency coordinator can begin sending out coordination papers for a band, he must read in the FCC Rules about the modes that the Commission has designated for use on the band. (In fact, each amateur, coordinators included, has been tested on these Rules.) As a practical matter, band plans are a pre-requisite to frequency coordination activities. If a coordinator adopted an illegal, non-FCC compatible band plan, intended to omit one or more of these modes, the rights of amateurs to use their licenses would be impaired. Such a non-FCC compatible band plan would be the source of intolerable interference between users of the same frequencies. The FCC Rules provide that a "frequency coordinator" is an entity that recommends usage so as to "avoid or minimize potential interference."

At the time the Internet is attracting attention away from amateur radio (and many other personal activities), Amateur Television is increasing in popularity. It has a form and function that has not yet been met by technology in use on the Internet. For example, ATV users are able to transmit pre-recorded videos made with camcorders over ATV repeaters, where others may easily tune in, using ordinary "cable ready" TV sets. Unfortunately, ATV is one of the modes that is now subject of political attack by special interests. This comes at a time when the documented use of ATV can be used in rebuttal to challenges from those who want to take away our ham bands for commercial use. The users of ATV do not have a desire to stop any two way communication with other modes, where there is no interference. However, under the FCC Rules governing each of our licenses, the existence of ATV (and ATV repeaters) is guaranteed. While ATV requires more band space than certain other modes, this is a "given" in the equation. It must be incorporated in every band plan adopted by a local coordinator. While the ARRL has published FCC-compatible band plans for

4 of 9 5/20/98 10:35 PM

ATV and all these modes in "The FCC Rule Book," some of the local coordinators have refused. It seems they have instead encouraged the use of band space that can only be utilized for ATV, for one or more incompatible modes. I have observed situations here in Dallas where this kind of practice has made ATV reception impossible.

Further, where we may have a "coordinator" issuing such conflicting "coordinations" to himself, his employer, his own closed, private, corporate, club, etc., as well as the situation described above, it all comes together as something the ARRL should not endorse. It is unfortunate that local coordination councils sometimes suffer from political problems, where one special interest or another figures out a way to 'take over' the council, the local coordination process, its policies, and appointees.

So, at this time, and before there is "implementation" of the agreement with NFCC, Inc., ARRL members want to know what you have done to insure that all the recognized "coordinators" are operating in compliance with the FCC Rules, and use only FCC-compatible band plans.

We hope he will respond. The "Mode War" continues.

PACKET

Packet operators are also having difficulty with "coordinators." Maybe this is because there is no such thing in the FCC Rules as "coordination" of simplex packet. Here in Texas, the agreement between the Texas VHF-FM Society and Texas Packet Radio Society regarding the frequencies used for these simplex, digital communications was summarized and published in a widely distributed document. It seems there had been no problem with the implementation of this until some politicians got involved. The Texas Packet Radio Society then published a paper titled "Packet Radio Threatened in Texas."

ARRL moves forward with Packet

Meanwhile, the ARRL has issued the following (The ARRL Letter, Vol. 16, No. 1, January 3, 1997):

NORTH AMERICAN DIGITAL SYSTEM DIRECTORY TO BE ONLINE

With ARRL support, the Tucson Amateur Packet Radio Corporation (TAPR) now will provide information on digital systems that formerly appeared in the annual ARRL Repeater Directory. The digital directory

information will be available at http://www.tapr.org/directory. By not including digital system listings in the 1997-98 edition of the Repeater Directory, the publication can better focus on its primary use as a guide to voice repeaters for traveling amateurs.

In planning the 1997-98 edition, the ARRL concluded that the Repeater Directory was no longer the most effective medium for this information. Discussions involving various regional digital groups that provide data to the digital section of the Repeater Directory led to the conclusion that TAPR was the logical group to take on the task of a new North American Digital System Directory.

This new database will describe systems used by Amateur Radio stations involved in digital communications in United States, Canada, and Mexico. The Digital System Directory will be based on information provided by regional, state, and local organizations as well as individuals, in a nearly real-time format. This should allow information to be maintained and updated more frequently than in a yearly publication. TAPR will also work with participating organizations to make this information available on TAPR's yearly CD-ROM as well as some future publication for local/regional groups to distribute.

The purpose of the Digital System Directory is not to manage, coordinate, or regulate the usage of digital systems, but to provide the most up-to-date and accurate listing of digital systems that can be provided. Neither is it a formal organization, but a mechanism to allow regional groups to provide and share information regarding digital systems.

The Digital System Directory is intended for use by individuals to further their enjoyment of the hobby, and by organizations to help plan and develop digital networks.

Regional/Local groups have already begun to participate in the process. These groups include TwinsLAN, Texas Packet Radio Society, Miami Valley FM Association, Ohio Area Repeater Council, Puget Sound AR TCP/IP Group, Northern California Packet Association, Northern Illinois Packet Radio Frequency Council, Indiana Digital Experimenters Association, Central Lakeshore Experimenter's Digital Organization, HogNet Packet Radio Association, YCCC Sysops Association and the Missouri Amateur Packet Radio Society. TAPR encourages other regional groups

to support this project by contributing data from their respective areas.

For further information on the project and how to get involved, regional groups should check http://www.tapr.org/directory or send e-mail to Carl Estey at wa0cqg@tapr.org.--Jay Mabey, NUOX

CONSIDER THIS...

Everything a frequency "coordinator" does is based on two FCC rules. (See the definition of a "coordinator," above.) One concerns coordination of "repeaters" (47 CFR 97.205[c]). The other concerns coordination of "auxiliary stations" (47 CFR 97.201[c]).

These rules address what takes place when one repeater or auxiliary station is coordinated, and a conflicting system of the same mode of operation is not. (Where that is the case, the non-coordinated station has a primary responsibility to cure the interference.)

These are the only FCC Rules that establish any status, or function, of a "coordinator."

The rules do not provide any "primary responsibility" to cure interference where a repeater interferes with an auxiliary station, or an auxiliary station interferes with a repeater. The only situations where this "primary responsibility" to cure interference exists is when *one repeater* interferes with *another repeater*, or where *one auxiliary* interferes with *another auxiliary*. Period.

Because it would be impossible for a "coordinator" to issue a "coordination" where a *repeater* and an *auxiliary* would interfere, and act within the FCC's definition of a "coordinator," the Rules do not provide for any primary responsibility to cure any resulting interference. (It seems it would have been a self-contradiction for the FCC to write or propose such a rule. The FCC presumes, with all this, that "coordinators" use FCC compatible band plans.)

Where a "coordinator" publishes a "coordination" for both a repeater and an auxiliary on the same frequency anyway, three things usually happen. (1) Others are misled to believe it is somehow possible to "coordinate" interfering transmissions between repeaters and auxiliaries, when this is not allowed by the

FCC rules. (2) The FCC's definition of a "Frequency Coordinator" is abandoned by the very people who are required to observe it. (3) Persons are misled to believe a "coordinator" may establish a band plan that, by itself, results in interference between repeaters and auxiliaries. This is also not allowed by the FCC rules.

"GOOD AMATEUR PRACTICE"

This brings us to the issue of "good amateur practice," which is required by 47 CFR 97.101(a). The ARRL Rule Book quotes a letter from the FCC to "a major repeater council," concerning band plans. It says:

The only national planning for Amateur Radio service frequencies that has come to our attention is that done by the American Radio Relay League. The 1982-1983 edition of the ARRL Repeater Directory lists over 5600 stations in repeater operation all over the United States and Canada. In view of this widespread acceptance of their band plans, we conclude that any amateur who selects a station transmitting frequency not in harmony with those plans is not operating in accord with good amateur practice. For example, the ARRL Repeater Directory lists the frequency pair 144.83/145.43 MHz. as a repeater channel. Therefore, designation of this channel by the regional frequency coordinator in (an) area is in accord with the ARRL national band plan.

So much for those interfering auxiliary transmitters purported to be "coordinated" on top of ATV channels, such as 421.250, and those who would use band plans that are not FCC compatible - which would make ATV, or any other mode, impossible to use. (The ARRL band plan for the 70 Cm. band, for example, shows ATV at 420.00 - 426.00 with 421.250 video carrier, and at 438.00 - 444.00 with 439.25 video carrier.)

"Being in power is like being a lady. If you have to tell people you are, you aren't."

-- Margaret Thatcher

THE ANSWER...

So the answer to the question

"Does your Frequency Coordinator obey the FCC Rules?"

is

NOT if the "Coordinator" is the source of a **MODE** WAR.



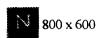
Here is a brief audio demonstration of a "coordinator" violating the FCC Rules.

Send EMail to Tom Blackwell

Send snail mail to: Tom Blackwell, N5GAR, P.O. Box 25403, Dallas, Texas 75225

Go to the COMMENTARY Page (We told you so)

Go to the HOME Page



Frequency Coordination, Band Plans and Challenges to the Rights of Amateurs: A Commentary

Special interests are working hard to take away our ham bands.

Other special interests want to take away our rights to use some of our transmission modes... and now it seems they want the ARRL to recognize them.

The FCC provides these rights and privileges each time it issues an amateur license. The ARRL should not endorse any non-FCC compatible band plan, or any organization that attempts to impose such a band plan.

Private sector frequency coordinators who have created special local band plans that are intended to exclude certain modes should not be funded, supported or recognized by the ARRL. By creating non-FCC compatible local band plans, special interests seek to modify the rights of FCC licensees. They should not be encouraged or allowed to do this, or to do anything else intended to take away the rights of FCC licensees.

At the time the Internet is attracting attention away from amateur radio (and many other personal activities), Amateur Television (ATV) is increasing in popularity. It has a form and function that has not yet been met by technology in use on the internet. For example, ATV users are able to transmit their pre-recorded videos made with camcorders over ATV repeaters, where others may easily tune in, using ordinary "cable ready" TV sets.

Unfortunately, ATV is one of the modes that is now subject of political attack by special interests. This comes at a time when the documented use of ATV can be used in rebuttal to challenges from those who want to take away our ham bands for commercial use.

The ARRL has received a proposal from a corporate organization which claims to represent some of the local coordinators. Members of the ARRL should be

notified of this, and should be encouraged to send comments to ARRL officers and directors, on these issues.

The following proposal was circulated in early October, 1996. I have provided commentary, with it:

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MEMORANDUM OF UNDERSTANDING BETWEEN THE NATIONAL
FREQUENCY COORDINATORS' COUNCIL, INCORPORATED AND THE
AMERICAN RADIO RELAY LEAGUE, INCORPORATED

The National Frequency Coordinators' Council,
Incorporated (NFCC) and the American Radio Relay League,
Incorporated (ARRL) share the common goals of enhancement,
recognition and development of Amateur Radio frequency
coordination. These goals will be accomplished through
improved relations and communication between and among
hical frequency coordination entities, the Federal
Communications Commission (FCC), the ARRL, NFCC and all
Amateur Radio Service (ARS) licensees.

The parties wish to formalize their mutual recognition,
sesponsibility, support and commitment, each to the other,
support to achieve their common goals.
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But are the goals of NFCC, Inc. the same as is provided by the FCC each time it issues an amateur license?

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18 :
19 : The parties, in a spirit of cooperation and mutual
20 : respect, hereby state their terms of agreement and common
21 : understanding as follows:
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Same comment.

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22 :
23 : I. DEFINITIONS
24 :
25 : 1. The National Frequency Coordinator's Council (NFCC)
26 : is a District of Columbia non-profit corporation, the
27 : membership of which is composed of delegates from
28 : recognized frequency coordinators in the United States.
```

So who would be "recognized"? Does this mean that NFCC, Inc. could "recognize" "frequency coordinators" who have done bad band planning, intended to eliminate certain FCC licensed modes such as ATV from entire bands? It was not long ago that "NFCC" Director and "MACC" President Dick Isley was announcing that "MACC" would no longer coordinate ATV repeaters on the UHF band after a certain date. Another "coordinator" has announced to us that he does not allow coordination of ATV on the 23 cm. band, and has asked that transmitters for ATV on that band not be sold in his state! (See his

statement below.)

29	:	
30	:	2. The American Radio Relay League (ARRL) is a
31	:	Connecticut, non-profit, Section 501(c)(3) Corporation
32	:	whose members are radio amateurs, organized for the
33	:	promotion of interest in Amateur Radio communication and
34	:	experimentation, for the establishment of networks to
35	:	provide communications in the event of disasters or other
36	:	emergencies, for public service in any form, for the
37	:	advancement of the radio art and public welfare, for the
38	:	representation of the radio amateur in legislative matters
39	:	(both national and international), and for the maintenance
40	:	of fraternalism and a high standard of conduct.

Correct. In doing these things, the Board of the ARRL has a duty to its members not to operate in a political vacuum. The NFCC, Inc. hired the ARRL's General Counsel as its General Counsel. With this, it seems members of the ARRL who oppose the NFCC proposal could not talk to the ARRL's General Counsel without simultaneously talking to the General Counsel of NFCC, Inc. I object.

The ARRL organized a meeting near St. Louis, Missouri, for a discussion of coordination. Several of the participants to tried to exclude attendance, participation or even observation of that meeting by ARRL members (and others) with legitimate concerns. When I told Paul Gilbert (then Chairman of Coordination Committee of Texas VHF-FM Society) that I expected to attend the meeting, to observe, he sent out a message about how "He is not a Klingon but a Romulin." (Copy below.)

The resulting proposal, it seems, comes from those who operate within a political vacuum, and a distrust and discourtesy for those they represent. For some, it seems to be a political subterfuge in support of certain private sector "coordinators" who do not find it convenient to recognize certain rights/privileges conveyed by the FCC to individual amateurs, each time the FCC issues a license. The ARRL should not be a party to such a scheme. (In the end, a conflict kept me from attending the meeting that day, but I did receive a videotape of the proceedings.)

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41:
42: 3. The National Frequency Coordinators' Office (NFCO)
43: is the administrative office functioning on behalf of the
44: NFCC as the single point of administrative contact and the
45: national information exchange for ARS frequency
46: coordination information.
```

If the ARRL recognized NFCC, Inc. as a "single point of contact" on

"frequency coordination," it would recognize those local coordinators who refuse to recognize all the rights and privileges conveyed by the FCC to individuals, each time a license is issued. It would recognize their non-FCC compatible band plans.

```
47 :
48 : II. THE NFCC WILL:
49 :
50 : 1. Develop, and recommend for adoption by coordinators,
51 : fair and equitable standards and procedures for frequency
52 : coordination throughout the United States, its territories
53 : and possessions.
```

The terms "fair and equitable", as used here, are vague and indefinite. Who will be the judge of what is "fair and equitable"?

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54:
55: 2. Provide and administer a fair and equitable process
56: for dispute and interference resolution related to
57: frequency coordination.
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Again, who would make the determination of what is "fair and equitable", under this proposal?

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58:
59: 3. Foster and promote the introduction and use of
60: technologies which offer increased efficiencies in the use
61: of spectrum used by repeaters and auxiliary stations.
```

Fine - just so no one tries to take away existing rights and privileges per our FCC licenses; and so no one asks the ARRL to be a party to an attempt to do so. It seems the ARRL can "foster and promote" the above without associating with any other corporation.

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62:
63: 4. Communicate with ARRL regarding regulatory and
64: technical modifications or enhancements necessary or
65: desirable for the promotion of frequency coordination and
66: the fair and responsible administration thereof.
```

Fine - just so no one tries to take away existing rights and privileges per our FCC licenses; and so no one asks the ARRL to be a party to an attempt to do so. What is the record of those who are involved with this proposal? What positions have they taken in the past?

```
67:
68: 5. Establish standards and procedures for identification,
69: certification and decertification, and the orderly
70: succession of frequency coordinators.
```

But an agreement between the ARRL and NFCC over this would not impact the right of anyone to become a "coordinator", operating under the FCC Rules. (Part 97.205(c) and 97.201(c).) We would expect their next step would be an attempt to change these rules.

```
71:
72: 6. In areas in which NFCC and ARRL agree on matters of
73: Amateur regulatory, technical or operating policy, NFCC
74: will cooperate with ARRL and utilize its resources to
75: achieve common goals.
```

Vague. If the ARRL does not agree, will NFCC, Inc. proceed anyway?

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76 :
77 : 7. Collect and supply data to ARRL verifying band
78 : occupancy and usage to protect and enhance amateur spectrum
79 : allocations.
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Will someone exercise a bias against modes that require more bandwidth than other modes? (What will they do about the proposal in Indiana to improve spectrum management?)

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80 :
81 : III. THE ARRL WILL:
82 :
83 : 1. Provide suitable resources and support for the NFCO.
84 :
85 : 2. Recognize the independence of the NFCC and support
86 : and encourage the NFCC in the common goals defined herein.
```

Sounds like an endorsement in advance of most anything NFCC, Inc. may do! What about the matter of bad local coordinator imposed band-plans that intend to take away FCC licensed modes of transmission from amateurs? (This scheme usually involves crowding out space customarily used by the other modes with narrow band FM coordinations.) Such local band plans are not FCC compatible.

```
3. Communicate with the NFCC regarding regulatory and
88:
          technical modifications or enhancements believed by ARRL to
          be necessary or desirable to the ARS, to the extent that
90:
          such may impact frequency coordination, or the fair and
91:
92:
          responsible administration thereof.
93:
       4. Disseminate to the amateur community at large the
94:
          identity and contact information for NFCC-certified
95:
96:
          frequency coordinators.
97 :
98:
       5. In areas in which the NFCC and ARRL agree on matters
          of Amateur regulatory, technical or operating policy, the
99:
          ARRL will cooperate with the NFCC and utilize its resources
100:
101:
          to achieve common goals.
102:
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103: 6. At the sole discretion of its Board of Directors, the 104: ARRL may, from time to time, make contributions to the operations of the NFCC.
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What? Do they want money? If ARRL money is paid, what from the existing ARRL budget will be diverted to NFCC, Inc.? (Will local coordination councils be asked for money?)

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107 : IV. THE NFCO WILL:
108:
109: 1. Maintain the national database for all matters
110:
            affecting frequency coordination in the United States, its
111:
              territories and possessions.
112:
113: 2. Serve as day-to-day primary channel for communications
114:
             between the NFCC and the FCC.
115 :
116: 3. Serve as the central repository for information
          concerning standards and procedures for frequency
117 :
118: coordinators; procedures for dispute resolution related to 119: frequency coordination and interference related to repeater 120: operation; and identification, certification, 121: decertification, and succession of frequency coordinators.
              decertification, and succession of frequency coordinators.
```

Will "coordinators" who refuse to recognize all the rights/privileges granted to each amateur by the FCC, with our licensees, be "decertified"? Has either the ARRL or NFCC, Inc., notified the coordinators who refuse to coordinate FCC licensed ATV modes on 420 MHz. and/or 23 cm. (to put narrow band FM there, instead), that they are not recognized as "coordinators"?

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122:
123: V. LEGISLATIVE AND REGULATORY AGENDA
124:
125: The ARRL and the NFCC will jointly and cooperatively
126: develop annually an agenda of legislative and regulatory
127: goals for the enhancement, recognition and development of
128: Amateur Radio frequency coordination.
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Will NFCC, Inc. try to get the ARRL to follow through with a program that would effectively reduce the rights/privileges granted by the FCC to individual amateurs, of a measure similar to that described by Dick Isley of MACC at the June, 1995 coordination forum of the Texas VHF-FM Society?

Will there be a proposal to end use of ATV on the UHF band (where every "cable ready" TV set is now ready to directly receive ATV)? Whose money would be used to campaign for such a proposal?

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129 :
130 : VI. IMPLEMENTATION, AMENDMENT, AND TERMINATION
131 :
132 : This Memorandum of Understanding shall take effect upon
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133 : signature by authorized officials of the ARRL and the NFCC.

Not so fast. There are questions.

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134 : It may be amended by mutual agreement of both parties in
135 : writing, and will remain in effect until terminated upon
136 : ninety (90) days prior written notice to either party by
137 : the other. The ARRL and the NFCC will periodically review
138 : the provisions hereof and coordinate such revisions as may
139: be necessary.
140:
141:
        In witness whereof, the parties hereto have placed their
142: hands and seals as of the following dates.
143:
144 : NATIONAL FREQUENCY COORDINATORS' COUNCIL, INCORPORATED
145:
146 : By:__
147:
                    Its President
148:
149 : AMERICAN RADIO RELAY LEAGUE, INCORPORATED
150:
151 : By:____
152:
                    Its President
                                       Date
153:
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If the ARRL President signed this, or a similar document, without the careful consideration and consent of the League membership, it appears he would be joining in a "tail wagging the dog" exercise indicative of a political vacuum. If this is submitted to the ARRL board, it should be published in QST for our careful consideration and comment.

In the interest of credibility, have the local "coordinators" who have been refusing to allow coordination of all the FCC prescribed modes been told they must correct this? What about the "coordinators" who engaged in bad band planning, intended to so crowd out ATV modes on UHF and even 23 cm. (1240 to 1300 MHz.) with other modes (particularly narrow band FM) so that duly licensed ATV repeater operations can not effectively exist? If the ARRL recognized such unilateral, political-vacuum, "tail wagging the dog" activities such as this, either by endorsing certain private sector coordinators, or by publishing the results of such "coordination" schemes in the ARRL Repeater Directory, it would recognize a reduction of the rights the FCC grants to each amateur. The ARRL should not recognize non-FCC compatible band plans. This would be unprecedented in the history of the League.

These problems can be worked out. There are other ways of doing it. Those ways would have been discussed at the Missouri meeting, if there had not been such an effort of the political vacuum pump operators to try to exclude and make un-welcome those ARRL members who had legitimate input into this process. We have the videotape. I won't forget one participant, who appeared

quite angry as he stood to demand that only certain people be allowed to participate in the meeting. Later, on Field Day, there was another closed and secret meeting of certain ARRL officers and Directors at the D/FW Marriott Hotel in Irving, Dallas County, Texas. If this meeting had been opened, the other ways of resolving these problems could have been discussed there. After the secret meeting was over, these ARRL officials did not even go and participate at "official" ARRL Field Day activities that were taking place a short distance away. This is an unfriendly posture, as if these officials did not want to hear the comments of members of the ARRL. I am a local official in the North Texas Section; and I do hear from these people. I experience the local "coordination" and coordinator produced band-planning problems right along with them. Once upon a time, I was even allowed to attend one of the secret band planning meetings here in Texas. Although I would not suggest that any wrongdoing took place at that particular meeting (other than some raised voices), the public would have had more trust in it if it had been open and announced*. It's a safe bet that the ARRL Board or its committees on "coordination" do not even know the details of many of the problems faced by its members involving "coordination" procedures and "coordination politics." It seems they have not even begun to ask the right questions. They would have learned these details if they had adopted a different posture on listening to us on these matters. Consequently, any politically invalid proposal that anyone may make to the FCC under these circumstances will have to be opposed, and the facts will have to be presented and aired before the FCC at the appropriate time.

*(See... It was better for me to have been there to be able to say this, rather than to be excluded so there would be suspicions about it. The same principle applies to all the other actions of the coordination committee and the Board.)

POLITICAL TAKE-OVERS

Central to the problems that sometimes arise with "coordination" and band planning by local "coordinators" is the way some special interest groups can organize to take over and control a local coordination council. Out of this, all kinds of personal/political activities manifest themselves. Sometimes, the data on what is coordinated is held in secrecy. Here in Texas, the data on coordinations are not even provided to some of the elected members of the board of the coordination council! (I can say I've "been there" and "done that.") Some of it involves "coordinations" that are issued by "coordinators," but not published in any directory. (This includes remote bases and links.) Currently, it seems 8 of the 9 board members of the coordination council in Texas are

8 of 26 5/20/98 10:36 PM

affiliated with one closed, corporate, private club, sort of like a country club**, whose functionaries effectively issue frequency coordinations to themselves; some of which are not published. This also means that some people who are in line for coordinations have all the coordination data in the state at their immediate disposal, while others are left in the dark.

** (... and what that corporation did not seem to understand is it could have had all the communication facilities it now uses, without ever having even one of its political functionaries on the coordination council, without creating any political divisions, and without being rude to anyone.)

THE POLITICS OF CONFUSION - HARD AT WORK

In Texas we have some on the other side of our political problems who say coordination is "voluntary." This seems to be an attempt to confuse the issues. It seems that "coordination" is about as voluntary as income taxes. They know better, because of an FCC memorandum:

Enforcement Division
Dallas, Texas
MEMORANDUM FOR THE FILE

		DATE	12/1/86	8:15 PM
Called _John J	ohnston /PRB_ of the			_ Office
Discussed prob repeat	lem with amateur coor er IX.	rdinated/non-coordi	nated	
Per Johnston:	If they were not abl FOB should back coc non-coordinated rep operation on freque	ordinator + order beater to cease		

Second, some have been led to believe the "single point of contact" proposal is for "narrow band FM, only." With some local coordinators declaring war against certain modes other than narrow band FM, particularly ATV modes on 420 MHz. and 23 cm., it is their plan to take the frequencies normally used by those modes (see the ARRL FCC Rule Book) and crowd them with

JMM/JDW

coordinations for narrow band FM. This effectively makes it impossible for amateurs licensed by the FCC to use those other modes. It furthers the cause of non-FCC compatible band plans.

Further, there seems to be nothing in the above proposal that actually limits it to "narrow band FM, only."

Third, there are those who are actually saying that a "single point of contact" arrangement would prohibit lawsuits against coordinators. It would not. Each of the 50 states has a Constitution which provides for trial by jury. The Constitutions would have to be changed to somehow exclude disputes involving amateur radio frequency coordinators from this. If anything, a "SPOC" arrangement would encourage lawsuits against local, private sector coordinators.

The ARRL should not become a party to such a scheme.

WILL NFCC, INC. AND/OR ARRL BE SUED OVER COORDINATION ACTIVITIES?

At the Missouri meeting, the FCC's Ralph Haller discussed arrangements where the FCC could serve as "final arbiter" on coordination, thus taking the liability for the final coordination decisions away from the private sector committees. With this, motivations to sue local coordination committees would be removed (or at least reduced). Why is it the proposals before us did not adopt his input? I note the "Amateur Radio Tort Reform" bill does not, and should not, include the private sector "coordinators." See:

http://www-eshoo.house.gov/volradio.htm

(Note: Congress adjourned before this amendment to the Communications Bill could be considered. I understand it will be re-introduced in 1997.)

I have been thinking about a new regulatory scheme that would incorporate the input of Ralph Haller, and the conclusions of United States Senator Phil Gramm and his staff on observing narrow band FM interference to 420 MHz. ATV in Dallas. I'll have more on this at an appropriate time.

DON'T TRANSMIT ATV ON THIS BAND!

One of the private sector "coordinators" informed the purchaser of a 23 cm. FM ATV transmitter from the Houston Amateur Television Society ("HATS") that he could not use it in California. It seems a "coordinator" there used an invalid, non-FCC compatible band plan that was intended to totally exclude modes that are specified as rights and privileges of every amateur, conveyed each time the FCC issues an amateur license.

The coordinator said:

I ask you not to sell your kits to anyone else here - I dont sell HFT in California - because of the high band occupancy there isnt a wide enough segment of frequencies here that a FM ATV transmitter could be put on that would not interfere with other coordinated users. ... and suggested he sell the completed kit back to some one in your area so as not to be out the money. I never "bagged" on your transmitter, infact I have mentioned it to those that call and want to build a kit instead of the ready made HFT. What I did say was that he might have some mad FM voice people string him up by his coax if he used it. ...

If the band plan had respected the rights/privileges granted by the FCC to individuals with its issuance of licenses, this situation would have never arisen. With that, it seems the band plan, the coordinator and others acting in concert have made the use of an entire FCC licensed mode on a band unworkable, inadvisable and impossible.

It seems it is not the role of the "coordinator" to determine what modes will be allowed on a band. This is the role of the FCC; certainly not those who want to "play FCC" or serve as "FCC wannabees." (Procedurally, it would be proper to petition the FCC on the matter, asking that certain modes be eliminated from certain bands. A local coordinator should never have adopted his own non-FCC compatible mode eliminating band plan. Of course such a proposal to the 'real' FCC would have been opposed and defeated.)

I am interested in receiving copies of any other statements from "coordinators", that they refuse to coordinate any particular FCC prescribed mode on a band.

MARKETPLACE REMEDIES FOR BAD LOCAL BAND PLANNING.

Now, when an existing, exclusive, private sector coordinator refuses to recognize the same modes prescribed by the FCC, there is a marketplace remedy.

A competing coordinator (or competing coordination council) can organize and proceed to coordinate these modes. Should amateurs have a right to do this? The proposal would mean the ARRL would not recognize amateurs' rights to form competing coordination council(s). Such a competitor could bring on the pressure required to resolve certain local issues. (That resolution might ultimately take on the form of an agreement between the competing coordination councils to merge, for tired old mistakes to be corrected, and for all concerned to respect the rights and privileges conveyed by the FCC with the issuance of licenses to individuals to operate with certain modes.) Some coordination councils have a way of being taken over by one private special interest group or another who want to receive special considerations, or issue coordinations to themselves - but this becomes a self imposed hardship when the interference results (and there is a "real" hardship on the adverse party). Which is less desirable: A coordination council that is "taken over" by some other private entity, or a "competing coordinator"?

For an example of a competing coordinator, with an Internet web page, see:

http://www.misma.org/

As a repeater owner, if I learned a competing coordination council had been formed in my area, I would want my repeater coordinated and published by the old council AND the new council. I would take whatever civil action might prove necessary to stop any intentional interference to my repeater - such as anyone who might "coordinate" another repeater on top of it.

A part of the bottom line is the political matter of assumption of power that should be solely in the province of the FCC, and without interference, practical or real, to its authority. The public's authority to rely on the rights and privileges conveyed with its amateur licenses should not be interfered with. Once the FCC exercised its proper authority to determine modes used on bands, the public made investments in equipment for certain modes, which should not experience political interference from any private sector entities calling themselves "coordinators."

LESSON NO. 1: WHEN A BAND IS FULL, USE OTHER BANDS! About ten years ago, Eileen Speigel spoke at a Texas VHF-FM Society Board Meeting about the growing number of requests for 2 meter coordinations, even though

12 of 26 5/20/98 10:36 PM

the band was full. She said she did not understand why these people did not apply for UHF frequencies. There were plenty of them at that time.

Narrow band FM is accommodated on each of these bands. There is space for repeaters, point to point links, remote bases, and possibly other uses of narrow band FM, as provided in the FCC Rules. The moral of Eileen Spiegel's point is that when the band becomes full, it is time to go to one or more OTHER bands. The problem now is that when the UHF band, and in some locations the 23 cm. band, became full for some of these modes, some of the local coordinators did not follow this simple principle. They let narrow band FM consume space could ONLY be practically used by certain other modes, such as ATV, thus crowding them out. One of these "coordinators" has even been talking about how someone's station might be physically sabotaged if they ever transmitted ATV anywhere on the 23 cm. band. (See the previous quote.) Not fair!

It would be one thing for a coordinator to say "I'm sorry. We do coordinate repeaters and auxiliary stations for the mode of your choice on the band you have requested, but all the spaces are full. You will need to go to another band." and quite another for him to say "I'm sorry. Even though the FCC Rules allow you to use the repeater mode of your choice on the band you have requested, we do not allow that mode in this area." or "We have adopted a way of 'discouraging' use of that mode in this area."

There are amateurs with legitimate answers to some of these problems, who were discouraged from attending the ARRL sponsored meeting in Missouri. At the time that persons attending it should have been concentrating on representing people back home, and reporting to them effectively on the details, there was this:

From: dick@mcs.com

Date: Tue, 1 Aug 95 22:43 CDT To: coordinator@cs.tamu.edu

Cc: quiat@csn.net

Subject: Meeting Attendance - Voting - News Media & Other Klingons

1 AUG - 2150 CDT

I have been listening to all of the thoughts and comments flowing back and forth on this re-mailer, and while I don't necessarily agree with all of the ideas put forth, I think it is great that we have this facility available to the coordination community. While this re-mailer is not totally removed from the general amateur public's view, it is pretty good - which leads me to thoughts on the media:

1. MEDIA: I do not think it is a good idea to allow this re-mailer to be accessed by the amateur news media, reps from the manufacturing and sales organizations, or "interested" individuals. We need this

forum to exchange ideas without the necessity of having to defend ourselves in public. The various Klingons and Romulans will eventually pick up the gist of what is said - but by the time they do, the information will either be out of date, discarded, or agreed upon - so that their observations will not carry much weight.

2. MEETING ATTENDANCE: I would prefer that the various forms of life discussed in #1 above be excluded from the meeting - but this is not really practical. Instead they should be allowed to attend in silence. Lobbying in the halls outside of the meeting is OK, but no comments or suggestions from the floor. This of course means that those entitled to speak will have to have a prominently displayed ID badge of some type listing who they are and who they represent.

As a corrallary to this, the media should be held accountable for what they publish and the manner in which it is published. I don't know how this can be done, but it should be done.

3. VOTING: I have now read of several ideas on voting. Obviously, it should be done ONLY by representatives of the various coordination entities in the country. But an old familiar problem arises about who should be the representative(s) from each entity.

The voting representative from Illinois WILL NOT be our frequency coordinator. The Illinois Repeater Association Frequency Coordinator is the "hired gun" appointed by the IRA President with the advice and consent of the IRA Board of Directors. Our FC is asked to provide input on coordination rules, policy, and procedures - but he does not get to vote on what they will be. This serves to isolate him from most of the political pressures attendant with many coordination requests. I would also add that frequency decoordinations are handled by our board using a very specific set of procedures.

If there is to be only one designated voting representative per state coordination group, that person from Illinois will be the IRA President or in his absence, the IRA Vice President.

However, if the voting is to be limited, as privately suggested to me by a few people, to only the recognized regional coordination organizations -- many states with recognized coordination groups would be disfranchised. In this category are MACC, T-MARC, T-SARC, and a few others, and SERA which does not have individual state groups within its organization.

At the other extreme are a few sparsely populated states with little more than a couple of locally recognized volunteer coordinators, who under the one vote per state concept would have voting power equal to those states with far more amateurs, repeaters, digipeaters, etc.

Lacking a better method, I suggest that the voting should be weighted state by state, using a weight factor based on amateur population, number of coordinated repeaters, or some other factor to reflect spectrum user population - with each state having a minimum of 1 vote.

4. AGREEMENT: Whatever voting system is used, it must be agreed to by the majority of the recognized coordination groups present. And my

interpretation of the term "recognized coordination groups" means those groups and individuals facilitating and/or actually doing coordination work - not the wannabes and rogue coordinators that are planning on attending this meeting.

These are my thoughts on these matters. VOTING rules are the most important item - everything else is affected by whatever voting rules we adopt. Without majority agreement on who is to vote and how much weight to give each vote (or how many votes per state), nothing substantial will be done.

Give it your best shot guys...

73 - Dick Isely, WD9GIG

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> We need this forum to exchange ideas without the necessity
> of having to defend ourselves in public. The various
> Klingons and Romulans will eventually pick up the gist of
> what is said - but by the time they do, the information will
> either be out of date, discarded, or agreed upon - so that
> their observations will not carry much weight.
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...BUT it is the duty of these representatives to keep up with us - not us with them. (This is what we mean when we say the "tail is wagging the dog.")

Stay tuned. Next we have the "Romulins," "Klingons," "yellow journalists," the KKK***, "Empires," and other players in the jungle (BOM ="Big October Meeting in Missouri [pronounded "BOMB"]):

***(General Nathan Bedford Forest was the First Imperial Wizard of the National Knights of the Ku Klux Klan.)

Perhaps let them come...BUT, make it VERY clear that they are here to OBSERVE and not participate. I know of one fellow from Texas that has made it clear that he plans to come and try to participate.

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He is not a kling-on but a Romulan.
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Paul, ZW

Date: Tue, 1 Aug 1995 17:25:32 -0500 (CDT) From: Paul Gilbert < vis_pfg@pip.shsu.edu >

Subject: Re: POST from Bill Pasternak
To: Joe Jarrett < joejarre@netcom.com >

Cc: "Coordinator's Remailer" < coordinator@cs.tamu.edu >

Another Romulan...

Paul, ZW

Date: Tue, 3 Oct 1995 18:29:31 -0500 (CDT)
From: Paul Gilbert < vis_pfg@pip.shsu.edu >

To: Vince Vielhaber < vev@mail.msen.com > Cc: Jay Maynard < jmaynard@admin5.hsc.uth.tmc.edu >, coordinator@cs.tamu.edu

Subject: Re: BOM and the press

WE ALL NEED TO BE VERY VERY VERY CAREFUL WHAT WE SAY TO THESE ROMULANS!!!!

I spent over 20 years in the news media before going full time in the corrections and 2 way industry.

I have run with some of the best reporters and editors inTexas. Many which now work for AP, ABC, Dallas Morning News and et al.

These folks (Paternak and The Ham medis...except QST) are ony out to sell issues and ads.

They will disort our wrds, print out of context and twist things to a point that if we o not do it the way they want it, we will be made out the bad guy or a bunch of idiots.

This includes the ARRL. It is to everyones benifits that we say very little to these guys.

I am still in favor of excluding them from the meeting.

This is our meeting not theirs and it will get screwed up in the press.

Mark my words.

I have been there.

Paul, ZW

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{ Paul Gilbert, KE5ZW | Do Not Be Afraid Of Any Man } 
 { Huntsville, Texas 77340 | No Matter What His Size } 
 { 409-291-9532 | Just Call On Me In Time Of Need. } 
 { vis pfg@pip.shsu.edu | And I Will Equalize! ....Samuel Colt, 1838}
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Date: Tue, 3 Oct 1995 18:39:39 -0500 (CDT)
From: Paul Gilbert < vis_pfg@pip.shsu.edu >

To: n9unr@execpc.com

Cc: coordinator@cs.tamu.edu
Subject: Re: The future